

CHAPTER 119. INSPECT A FEDERAL AVIATION REGULATIONS PART 137 DISPENSING OPERATION

SECTION 1. BACKGROUND

1. PROGRAM TRACKING AND REPORTING SUBSYSTEM (PTRS) ACTIVITY CODE: 1623

3. OBJECTIVE. The objective of this task is to determine that a private or commercial Federal Aviation Regulations (FAR) Part 137 operator conducts a dispensing operation according to the FAR and the operating certificate. Successful completion of this task results in an indication of satisfactory or unsatisfactory in the operator's district office file.

5. GENERAL. The need to inspect an operator's dispensing operation, which is the actual dispersal of chemicals on a specified area, may be as a result of programmed surveillance. The inspection may be as

a response to a complaint about an operator (See volume 2, chapter 182, Conduct a Complaint Investigation). The inspector must consider the type of operation, whether a congested area is involved (which would include volume 2, chapter 121, Monitor a Congested Area Operation), whether the operation is in daytime or nighttime, etc.

7. INSPECTOR SAFETY CONSIDERATIONS. The nature of agricultural chemicals is necessarily toxic. (See chapter 115, Introduction to FAR Part 137 Related Tasks.) Inspectors must take every precaution to assure they are not contaminated by exposure or spillage.

[THIS PAGE INTENTIONALLY LEFT BLANK]

SECTION 2. PROCEDURES

1. PREREQUISITES AND COORDINATION REQUIREMENTS.

A. Prerequisites. This task requires knowledge of the regulatory requirements of Federal Aviation Regulations (FAR) Part 137 and Federal Aviation Administration (FAA) policies and qualification as an aviation safety inspector (ASI) (operations).

B. Coordination. This task may require coordination with the airworthiness unit.

3. REFERENCES, FORMS, AND JOB AIDS.

A. References.

- FAR Parts 1, 61, and 91
- PTRS Procedures Manual (PPM)

B. Forms.

- FAA Form 1360-33, Record of Visit, Conference, or Telephone Call
- FAA Form 8000-36, Program Tracking and Reporting Subsystem Data Sheet

C. Job Aids.

- Dispensing Operation Inspection Job Aid (figure 119-2)
- Agricultural Pilot Inspection Job Aid (figure 119-3)
- Agricultural Aircraft Inspection Job Aid (figure 119-4)
- Sample letters and figures

5. PROCEDURES.

A. Schedule Inspection. Coordinating with airworthiness, schedule a date and time for the inspection. Decide whether this inspection will be done with or without notice to the operator.

(1) If the inspection is to be conducted with notice to the operator, notify the operator by telephone or in writing.

(a) If the operator is notified by telephone, record the results on FAA Form 1360-33 and place it in the operator's file.

(b) If the operator is notified in writing or the telephone call is confirmed in writing, use figure 119-1.

(c) Review the district office file on the operator.

(2) If the inspection is to be conducted without notice to the operator, review the district office file on the operator.

B. Review Operator's File. Check the district office file on the operator for previous violations, complaints, accidents, incidents, and other inspection reports. Note any areas which require special attention.

C. Program Tracking and Reporting Subsystem (PTRS). Enter the appropriate PTRS code to open the task.

D. Job Aids. Use the Dispensing Operation Inspection Job Aid (figure 119-2), the Agricultural Pilot Inspection Job Aid (figure 119-3), and the Agricultural Aircraft Inspection Job Aid (figure 119-4) during the inspection.

(1) If a private operator, determine if the operator meets the requirements of FAR 137.19(b), (d), and (e).

(2) If a commercial operator, determine if the operator meets the requirements of FAR 137.19(c), (d), and (e).

(3) Determine if the operator has current copies of FAR Parts 91 and 137 (recommended, not required).

(4) Determine if the operator knows the location of the nearest poison control center (recommended, not required).

(5) Determine if the aircraft is airworthy and appropriately equipped (airworthiness).

(6) Determine if the pilots are appropriately certificated (FAR 137.19 and 137.41).

(7) If a private operator, determine if the operator complies with appropriate limitations (FAR 137.35)).

(8) Determine if the operator has a written record of informing all personnel of their duties and responsibilities (FAR 137.41(a)).

(9) Determine that the chief supervisor meets knowledge and skill requirements (FAR 137.19(e)).

(10) Determine that the pilot-in-command is appropriately certificated for the operation (FAR 137.41(c)).

(11) Determine that appropriate competency letters or logbook endorsements have been issued (FAR § 137.19).

(12) Determine that the operating name is the same as the name on the certificate (FAR 137.55).

(13) Determine that the operator's address is the same as the one on file.

(14) Determine the dates of the baseline cholinesterase tests for pilots and other personnel (recommended not required).

E. Inspection Satisfactory. If the inspection is satisfactory, note the outcome on the job aid.

F. Inspection Unsatisfactory.

(1) If the inspection is unsatisfactory, note the outcome on the job aid. If the unsatisfactory items involve a safety hazard, terminate the operation immediately in accordance with the method worked out with the operator.

(2) Note the unsatisfactory items on the job aid. Confirm those items with the operator in writing (figure 119-5).

(3) Initiate an enforcement investigation as appropriate.

G. Debrief Operator.

(1) Compliment the operator on all areas where the operator met or exceeded the standards.

(2) Discuss any unsatisfactory items and how to improve them.

(3) Discuss any unsatisfactory items which may require an Enforcement Investigative Report and the normal enforcement action process, if applicable.

H. Inspection Reports. Place the job aid, any reports, and correspondence in the district office file on the operator.

I. PTRS. Make the appropriate PTRS work entries for:

(1) Surveillance/inspection

(2) Any open items

(3) Enforcement action

J. Airworthiness Deficiencies. If airworthiness deficiencies exist and an airworthiness inspector was not present, notify the airworthiness unit supervisor.

K. Other District Office Information. If applicable, mail a copy of the inspection report and other documentation to the operator's certificate-holding district office (CHDO).

7. TASK OUTCOMES. Completion of this task results in either of the following:

A. An indication in the district office file on the operator that the inspection was satisfactory.

B. An indication in the district office file on the operator that the inspection was unsatisfactory.

9. FUTURE ACTIVITIES.

A. Depending upon the results of the inspection, schedule another inspection either at the programmed interval or earlier.

B. Follow-up on any open items.

C. Possible initiation of an enforcement investigation if the inspection was unsatisfactory.

FIGURE 119-1
LETTER TO OPERATOR CONFIRMING DATE, TIME, AND LOCATION OF DISPENSING INSPECTION

FAA Letterhead

[*date*]

[*operator's name and address*]

Dear [*operator*]:

This letter is to confirm our telephone conversation on [*date*] to the effect that an inspection of your operations will be conducted on [*date of proposed inspection*]. Enclosed is a copy of the inspection aid that will be used to assist in determining whether this operation is in compliance with Federal Aviation Regulations Part 137.

Should you have any questions concerning this inspection or will not be available on the above date, please notify this office at [*telephone number*].

Sincerely,

[*principal operations inspector's signature*]

**FIGURE 119-2
DISPENSING OPERATION INSPECTION JOB AID**

NAME AND ADDRESS OF OPERATOR	CERTIFICATE NUMBER	DATE OF INSPECTION			
LOCATION OF INSPECTION	INSPECTORS				
ITEMS INSPECTED	FAR REF	SAT	UNSAT	N/A	
1. Private operator meets appropriate requirements.	§ 137.19(b)(d)(e)				
2. Commercial operator meets appropriate requirements.	§ 137.19(c)(d)(e)				
3. Operator has copies of FAR Parts 91 and 137 (recommended)	not required				
4. Nearest poison control center location known (recommended)	not required				
5. Aircraft inspection	§ 137.53(c) or § 91.217				
6. Restricted aircraft operating limitations	§ 91.39(b)(c)				
7. Weight placard on hopper	not required				
8. Airman certificates and pilot qualifications	§§ 137.19, 137.41				
9. Aircraft equipped for dispensing	§ 137.19(d) § 137.31(a)				
10. Shoulder harness	§ 137.31(b) § 137.42				
11. Facsimile of certificate on board each aircraft used	§ 137.33(a)				
12. Airworthiness and registration certificates inspected	§ 137.33				
13. Private operator complies with limitations	§ 137.35				
14. All personnel aware of duties and responsibilities	§ 137.41(a)				
15. Supervisors meet knowledge and skill requirements	§ 137.19(e)				
16. Pilot-in-command appropriately certificated for operation	§ 137.41(c)				
17. Pilots have competency letters or logbook endorsements	§ 137.19				
18. Operating name same as business name	§ 137.55				
19. Pilots meet knowledge and skill requirements	§ 137.19(e)				
20. Operator's address same as on file	not required				

FIGURE 119-2-Continued
DISPENSING OPERATION INSPECTION JOB AID

[illegible]

[illegible]

119-8 Vol. 2

FIGURE 119-4 AGRICULTURAL AIRCRAFT SURVEILLANCE JOB AID

[illegible]

FIGURE 119-5
LETTER TO OPERATION CONFIRMING UNSATISFACTORY ITEMS

FAA Letterhead

[*date*]

[*operator's name and address*]

Dear [*operator*]:

This letter is to confirm those items that were unsatisfactory at the satellite site inspection conducted at [*location*] on [*date*] and the present status of those items.

[*The inspector should list each item and indicate:*]

- whether sufficient corrective action has been taken by the operator.
- if no corrective action is taken by the operator that enforcement action may be initiated.
- if a follow-up inspection is required to determine if corrective action has been completed, when that inspection will take place.

Sincerely,

[*principal operations inspector's signature*]